



ARLINGTON FINANCE COMMITTEE
MINUTES OF MEETING

11/23/20 7:30 PM

Conducted by Remote Participation - Zoom Meeting

ATTENDEES:

Gibian	Padaria	Pokress	Kellar	McKenna*
Blundell*	Wallach	Harmer*	Tosti*	
Ellis	Foskett*	Deyst*	Kocur*	
White	Beck	Jones*	Deshler*	
Franclemont*	Howard*	LaCourt*	Carman	Diggins*

*Indicates present

1. INTRODUCTION: Foskett read the rules for the meeting as formulated by Town Counsel based on the Governor's authorization. An important rule is that all votes must be by role call. Attendance was taken by roll call. There were no votes.

2. MINUTES of 11/18/20 approved unanimously.

3. MINUTEMAN FIELDS FUNDING: LaCourt provided an email (Ref 1) from Kevin Mahoney, Minuteman Tech staff, which identifies the correct total cost. Later Foskett reviewed the entire Fields project.

4. Foskett described an email he received from a resident (Ref 2) suggesting that, contrary to the subcommittee report on the Arlington Police Department (Refer to FinComMinutes of 10/28/20), there are complaints against the APD. Foskett explained to the resident (Ref 3) that the report said there were no reports of "use of excessive force".

5. RESERVE FUND BALANCE: \$1,556,724

The meeting adjourned at 7:51 PM.

Peter Howard 11/24/20
Revised 12/1/20

Ref 1 Memo from Minuteman Tech
Ref 2 Email Brown to Foskett Complaints to Police
Ref 3 Email Foskett to Brown Complaints to Police

Hello All,

I have reviewed the questions and provide the information below to hopefully answer them.

Low bid - Construction Only	=	\$6,450,000
Total Project Budget (Construction plus soft costs)	=	\$7,661,000
Total funding - School District Funding Sources	=	\$5,752,000
Total Required Borrowing	=	\$1,909,000

Please disregard the \$5,930,000 in slide 9. We needed to lower the district share to \$5,752,000 because the amount remaining from the school building project will be slightly lower than originally projected.

Please advise if further clarification is required.

Thank you.

Kevin Mahoney

Liz: Pease forward to the Finance Committee Members thanks Charlie

Dear Fellow Finance Committee Members:

Please find below an email I received from Michael Jacoby Brown, which I forward to you at his request. I have also attached my response to him, and a separate response to him by Chief Flaherty.

I have received a second email from Mr. Brown regarding the BLM sign issue. I have not had a chance to address it but will likely do so tomorrow.

**Best regards,
Charlie**

Charlie Foscett
101 Brantwood Road
Arlington, MA 02176-8005
1.781.492.0800 (Mobile)
1.781.646.5882 (Home)
1.781.641.4769 (Fax)
Email: charlie.foscett@foskettco.com
Skype: cfoscett

From: Michael Jacoby Brown <mjbrown246@gmail.com>
Sent: Friday, November 20, 2020 1:23 PM
To: charlie.foscett@foskettco.com
Cc: Acting Chief of Police: Julie Flaherty <JFlaherty@town.arlington.ma.us>
Subject: Regarding lack of complaints to APD

Dear Mr. Foscett, thank you so much for your dedicated service to the Town on the Finance Committee. I read the Police Report of the Finance Committee and regarding the lack of complaints, I hope you can forward this story to them. Thank you. Michael Jacoby Brown. TMM, PCt 17

November 19, 2020

Dear Chief Flaherty,

I heard you say at last night's virtual Town Meeting that there have been no complaints to the APD over the last 10 years. I have a story that might shed some light on why that is.

Basically, there is no easily understood way and credible to complain to the police department about problematic police behavior. Unlike, for example, my credit card. When I have a complaint about a charge I don't recognize on my credit card, I know that I can call the credit card company's phone number on the back of the card, speak to someone and get a fair hearing on my complaint. This is not the case with the police department.

It is well known that police departments, **in general**, (I am NOT speaking here of the APD) protect their own. People don't complain because they often know they won't get a fair hearing - unlike with my credit card company. There are numerous examples throughout the US of serious abuses by police that have been covered up and not attended to.

I have heard of similar situations within police departments. The daughter of a friend of mine is a police officer. She does not complain about other abusive officers because she said she knows SHE would be punished by the rest of the department. She said if she complained, she knew would not be given back-up in a serious situation she might find herself in. So she knows better than to complain in order to protect herself while on duty.

My little story is really just verbal abuse. I was not physically attacked, only verbally abused, and frankly I did not complain because, sad to say, I was not surprised.

The Story: About five years ago my dad was in the Park Ave Rehab center. He had fallen and was in his 90's He was mis-treated by this Park Ave Health Center in Arlington.

My dad is a World War II veteran. His name was Bob Brown. He lived with us in our home in Arlington. He was a valued member of the Arlington Senior Center and Council on Aging. . He made pottery that was called "Bob's Bonanza" as way to raise money for the Council on Aging. . He made the ceramic medals for the 5K race the Council on Aging held each year. If anyone has one of those, my dad made them. I only mention this to let you know he was no complainer. Anyone at the Council on Aging who knew my dad will tell you this. (See photo attached)

He was badly treated mis-treated at the Park Ave Health Center. First off, they advertised that they were "locally and family owned" on their website. This was a lie. Over a year before he entered a New Jersey corporation had bought this Health Center among others in MA. We only took him there because we thought it was family owned.

While he was there they cut off his physical therapy, asked him to sign papers he did not understand, and lied to me about his care. They tried to kick him out before he was able to come back to live with us.

So I and some friends thought we would let the public know about this mis-treatment and their lying on the website about their ownership. We thought this would "serve and protect" our Arlington community who might think of sending their loved ones there.

We planned a group stand out on public property near the Heath Center on Park Avenue. My dad made some signs. We called the APD to let the APD we would be peaceably standing there on public property.

While we were standing there, on the sidewalk, public property, two police officers drove up and they spoke to some people in the Health Center. Then they came up to us. One of the APD officers was verbally abusive. He never asked us why we were there. He never asked about who my dad was. (The reason I tell you about him is to give him the credibility and respect he is due as a human and a World War II veteran who served his country honorably in Europe.)

This APD officer, who I assume is committed to "serve and protect" the community was doing the opposite. We, trying to alert the public about this lying abusive company, were the ones trying to serve and protect the community. We hoped that our publicizing my dad's mistreatment would protect others from experiencing similar abuse.

Instead this officer was verbally abusive. I can't say if it happened in part because two of our group were Black men, but two of our group were Black men, and I know, in general, Black men are often treated worse than white men by the police *in general* --- not by the APD specifically. I want to make that clear. I know that former Chief Ryan was very strong in making sure that Black people were treated with respect in Arlington, and I have heard stories about the lengths to which he went to make sure that happened.

The point of the story is that I did not complain to the police because, sadly, I was not surprised that the officer took the side of the Health Center, instead of even listening to us. After he spoke to the Health Center reps, he became verbally abusive to us. That was not necessary. We were not doing anything illegal. We were not blocking traffic. We were not on the Health Center's property. We were only trying to perform a public service and protect my dad.

So, since there was no well-understood, credible place to complain, we just took the verbal abuse. I did not think to call the police department to complain. To whom or how would I complain? I did not think it would do any good anyway. And if I did, I did not think anything would happen.

My dad is dead now, so he can't say what happened to him at the Health Center. I could certainly identify the officer. I remember the incident well.

I have also related to you a **good experience** with the APD, and I know there are many good, dedicated officers in the APD. I have not had many encounters with the APD over the many years I have lived here. I only tell you this story to explain at least why I did not file any complaint.

I only tell you this long story to hopefully explain that no complaints do not indicate no problems.. The verbal abuse in this case left no physical scars. But is this the way the APD wants to treat law-abiding Arlington residents? If the APD wants to better "protect and serve" our community, verbally abusing residents who are themselves trying to "protect and serve" the public -- in this case from a lying, abusive out of state corporation -- is not a good way to do it.

I am attaching a photo of my dad at COA 5K race that someone took, and a photo of our little stand out at the Park Avenue Health Center.

--

Michael Jacoby Brown

Charlie Foskett

From: Charlie Foskett <charlie.foskett@foskettco.com>
Sent: Monday, November 23, 2020 5:20 PM
To: MJBROWN246@gmail.com
Cc: 'Acting Chief of Police: Julie Flaherty'
Subject: RE: Regarding lack of complaints to APD

Dear Mr. Brown:

Thank you for your email of 11/20/20 "Regarding lack of Complaints to APD" and your interest in keeping Arlington a great place to live.

I was saddened to hear of your father's difficulties with the Park Ave Rehab center, because I have shared some of your frustrating experience. My late father too was a WWII veteran, and for close to a year a prisoner in a Nazi POW camp, after his B-24 was shot down over Italy. I also spent many days and even weeks over many years dealing with hospitals, VA and other, bureaucracies, etc. working to get him dignity and support and care for injuries he incurred. Your father and mine, and many others of that era were truly members of the "Greatest Generation", and they all deserved honor and respect from the generations that followed, especially ours. I loved the photo of your father.

First, the Finance Committee prepared this report to collect as much data as was available on the budgets, expenses and activities of APD. It may not be complete, but Christine, Darrel and Jonathan reported what they were able to gather and organize. I hope you found it useful and can refer to it in the future. We will certainly use it as a reference for our work on the Finance Committee. The report makes no judgments with respect to the APD.

Second, the report in the section you reference specifically says:

"Within at least the past 10 years, there have been no complaints **alleging excessive use of force** by any officer of the Department." (emphasis added)

Your incident, as recounted by you, and there may possibly be other viewpoints, does not fit in this category. In any event, since you did not report it to the Police Department, the Town Manager, the Select Board, or a Town Meeting Member, there is no way anyone could have captured it for a record in a file. So, if you did not report this, there were perhaps "no complaints" in general over the last ten years, until now, although this is unlikely.

Nowhere in the Finance Committee report did the report state that there were "no complaints" in general, but only with respect to "use of force".

I also note that Chief Flaherty has informed you of current complaint handling facilities, even for anonymous complaints, that she has instituted over the past several years.

In addition, I have forwarded your email to the entire Finance Committee.

Thank you again for your email, and please do not hesitate to write or call me at any time if I can provide further information or be of assistance on any matter.

Kind regards,
Charlie

Charlie Foscett
101 Brantwood Road
Arlington, MA 02176-8005
1.781.492.0800 (Mobile)
1.781.646.5882 (Home)
1.781.641.4769 (Fax)
Email: charlie.foscett@foskettco.com
Skype: cfoscett

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Michael Jacoby Brown
10 Brattle Terrace
Arlington, MA 02474 USA
Mobile: 617 645 0226

author: ***Building Powerful Community Organizations***

Pronouns he, him, his

www.MichaelJacobyBrown.com

<http://www.youtube.com/watch?v=Ws58VrYAVuY>

<http://visitor.r20.constantcontact.com/d.jsp?llr=yldlqrlab&p=oi&m=1111910354296>